STATE OF MAINE
COUNTY OF YORK
CITY OF SACO

I. CALL TO ORDER - On Monday, March 16, 2015 at 7:00 p.m. a Council Meeting was held in the City Hall Auditorium.

II. ROLL CALL OF MEMBERS – Mayor Donald Pilon conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: David Precourt, Leslie Smith, Kevin Roche, Arthur Tardif, Eric Cote and Nathan Johnston. Councilor Brunswick excused this evening.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL:

V. AGENDA:
A. POLICE DEPARTMENT AWARDS

Mayor Pilon presented Lifesaving Awards to Sgt. Daniel Beaulieu, Corporal Kyle Moody, Patrol Officer Matthew Corbin and Patrol Officer Matthew Roberts for the following act of heroism and for representing the City of Saco so well.

On October 30, 2014 at approximately 5:53 AM the Saco Police Department received a call from Michelle Charlestone of Water Street, who was walking her dog that morning. Michelle reported that she could hear a person yelling for help in the vicinity of the Elm Street Bridge over the Saco River.

Several officers responded and found a 31 year old Biddeford female struggling in the water. Officers deployed rescue discs for the female to grab onto and she was pulled to the river bank, where Sergeant Daniel Beaulieu and Corporal Kyle Moody were able to pull her up over the granite wall that runs along the river’s edge. In order for this to happen, Officers Matthew Corbin and Matthew Roberts secured Sgt. Beaulieu’s and Cpl. Moody’s lower bodies to prevent their being pulled into the river. The female was transported to the hospital for treatment. This was truly a team effort and we are proud of their efforts on behalf of their community.

Michelle has since moved out of state but the Police Department presented her with a Special Commendation that I signed on behalf of the City.

Mayor Pilon also presented a Lifesaving Award to Captain Jacob Moulton from Explorer Post #97 for the following act of heroism and congratulations on a great job and well done.

On Nov. 22, 2014 a 58 year old resident of Seal Rock Complex was in a dining room with other residents during meal time. Without warning, food had become lodged in her throat and she began to choke. As people called for help, Jacob Moulton sprang into action. Moving to a position behind the resident Jacob expertly applied the heimlich maneuver dislodging the obstruction without injury to the resident. In an e-mail to the Police Dept. the resident credits Jacob with saving her life and says that she can’t thank him enough.

A particular note was that less than 3 weeks before the incident, at his own expense Jacob had taken a CPR First Aide class at the Police Dept. where he learned the technique. We thank Captain Moulton for his exemplary service and dedication to Saco through his work with the Explorers and we are very proud of him.

B. ALLOCATE UP TO $15,000 FROM LEGAL FEES FOR A RULING ON THE VALIDITY OF THE CITY ADMINISTRATOR’S EMPLOYMENT AGREEMENT WITH THE CITY OF SACO BY THE MAINE SUPREME COURT

I would like the council to consider allocating up to $15,000 for a judgment from the Supreme Court on the current contract under our current budget and not supplemental funding. I would leave it up to the Mayor with such council to determine on what grounds to contest the contract. As seen last night, there has never been as much legal attention to Saco in my short time here as this contract has brought. The $15k is within budget and reason to allow...
the elected Mayor his day in court. To those that think we are not moving forward, I ask that this is a forward
thinking exercise, if only to help resolve future debate and guide us for any charter changes needed.

Councilor Roche moved, Councilor Johnston seconded “Be it ordered that the City Council approve allocating up
to $15,000 from the legal fees account under our current budget and not supplemental funding for a ruling on the
validity of the City Administrator’s employment agreement with the City of Saco by the Maine Supreme Court:”
Further move to approve the Order.

Councilor Roche moved, Councilor Johnston seconded that the Mayor step down and present his case for this
motion.

Deputy Mayor Leslie Smith took the podium.

Mayor Pilon stated he would like to amend the motion to suggest to the Council that rather than going to Court, that
he would ask the Council to go to the Maine Municipal Association (MMA) and ask for MMA to render an opinion
on whether the Council acted outside the Charter when they were deliberating the contract with the City
Administrator.

Deputy Mayor Smith asked Mayor Pilon if this meant that there would be no $15,000 involved? Mayor Pilon
responded “correct”.

Councilor Roche noted that in previous discussions the Council was lead to believe that the MMA is not a free
service. Has this been confirmed or if there is a dollar amount and what that would be?

Mayor Pilon stated that he wasn’t aware that they do because the city pays a fee to them. He asked the City
Administrator to clarify what the city does pay to them.

City Administrator Rick Michaud stated that the city has been a member of MMA for a very long time and they
have 5 veteran municipal attorneys on staff. They are frequently asked to submit letters expressing their opinion on
issues. I have not checked with MMA to see if they would be willing or able to offer this opinion. They do have a
long standing practice of not representing a municipality before the court system. But they do offer opinions.

Mayor Pilon noted that he did have a conversation with them this afternoon and they did say that they would offer
an opinion. There was no discussion about how much they would charge. They did say that they would like all the
information that the City Solicitor has given the Council and they also wanted the information that Preti Flaherty
had submitted to the Council and all the documentation leading up to where we are today to be submitted to them
for their review.

Councilor Roche asked if they would just render an opinion based on data submitted and not on time and therefore
money if it is our City Solicitor? It is just send over data such as the contract, the opinion and minutes of the
Council and that is how they judge? Mayor Pilon stated that they would like to see the current contract with the
City Administrator, the previous contract with the City Administrator, our Charter, the City Solicitor’s opinion that
he had submitted, Preti Flaherty’s opinion they submitted and they would start to culminate the information and let
the City Solicitor know what additional information they would need.

Deputy Mayor Smith asked Councilor Roche if he would like to remake his motion or would he like his original
motion to stand? Councilor Roche stated he would re-make or amend the motion for a vote.

AMENDED MOTION– Councilor Roche moved, Councilor Johnston seconded to move forward the normal course
of business to present this to the MMA for an opinion.

Councilor Precourt asked whether the Council was going to set a dollar amount that we would be willing to pay to
have this opinion?

Councilor Roche noted that there is a legal budget and that there are things that come up almost weekly that
attorney fees are paid for and we don’t approve individually. So is there guidance from the city on how much we would actually need to vote on? I’m just saying “in the normal course of business”.

City Administrator Rick Michaud stated that on behalf of his employer requested opinions from MMA over time and they have not had charges hooked to them. That is part of what we pay the dues for. I would say a well researched legal opinion is time consuming and I haven’t had much luck getting a letter back from them in anything less than 3 weeks and sometimes longer. Just to create an expectation here, it may take some time to respond.

Councilor Roche noted that he was not motioning a deadline. If it is “free” we will get it when we get it I guess.

Councilor Tardif noted that the City Solicitor had made a decision and I think the Council has confidence in what he does and he has always handled us well and is truthful with us and I think we just ought to move on.

Councilor Roche noted that he didn’t think it was an issue with doubting the City Solicitor and more about the position. The person in the Mayor’s Office has concerns and do we allow the Mayor with some constraints (financial and time) to use our membership in MMA to get a judgement?

Councilor Cote felt that the City Council didn’t need to vote to do that. The City Administrator just said that many times over his career he has asked MMA for opinions. If Mayor Pilon wants an opinion, ask them for an opinion.

Mayor Pilon asked that the preparation of the information that is sent to MMA, he would like to review it before it is sent out there so I can make sure it is correct. There is some information that I have read from the City Solicitor where he made some assumptions in his argument that are incorrect. So I would just like to review the information before it is sent to MMA so I can make sure that what he said I said is correct before it goes up there.

Deputy Mayor Smith stated that we (Council) would all like to review it.

Councilor Roche noted that this was a given that the Council gets to see the information.

Councilor Precourt agreed with Councilor Roche 100 percent.

Councilor Roche stated that it is all the original documents, what has already been done. There isn’t anything extra that our City Solicitor has to do or any Council member has to write up is there? Once MMA receives the stuff and reviews it they may come back with questions.

Councilor Precourt noted that they would probably need the minutes of the last meeting that we had as well so that they could review.

City Administrator Rick Michaud stated that he would take this as all the information that the Council has been provided to date on this subject is what MMA would receive.

**Deputy Mayor Smith called for a vote on the amended motion.**

Councilor Cote stated that as he had said before, we have never had a Council vote to ask MMA for a legal opinion. Why are we doing this now?

Deputy Mayor Smith stated because we have a motion that was made and seconded.

Councilor Cote noted that we could go ahead and does this, but that he would not vote for it.

Mayor Pilon stated that Councilor Cote was suggesting this didn’t need a vote.

**The amended motion passed with three (3) yeas and two (2) nays – Councilors Tardif and Cote.**
C. VISION & GOALS – (PUBLIC HEARING)

On February 9, 2015 the City Council was presented a Report on the information collected in the public phase of Saco Bridge 2025 presented by Pamela Plumb then moved to workshop Vision development and action plans. The following is a list of outcomes following the 2-9-2015 Vision workshop discussions.

**Former Vision (Mission) Statement:** Our vision is a high quality of life for Saco citizens and central to this vision is a sustainable economy that offers an opportunity for everyone to have rewarding employment and for business to prosper, now and in the future. The people of Saco bring this vision into reality by working together and building on our tradition of hard work, dedication, and ingenuity. Possible new catch-phrase…"Saco is the best city to live, work, learn and play in the State of Maine"

This incorporates everything from the vision process:
1. **Live:** Safety, affordability, housing for all demographics
2. **Work:** Attracting all types of business
3. **Learn:** Best schools (K-8, TA and neighboring UNE)
4. **Play:** A recreational destination, from the open spaces in North/West Saco and sites visible from the turnpike to Rte 1 Funtown/Splashtown and the beaches

Suggestions taken from the forums:
- Make a park by the old railroad bridge
- Have a performing arts center
- Implement a better resource for finding programs and non-profit services
- Implement a better resource for finding volunteer opportunities
- Offer independent living skills education
- Improve the academic transition from Middle School to Thornton Academy
- Improve options for non-college bound students
- Start an educational fund to supplement the School Budget

Councilor Roche moved, Councilor Precourt seconded “Be it ordered that the City Council hereby moves to open the Public Hearing on the report ‘The City of Saco 2025 Vision Statement’ and further move to set the Second and Final Reading for April 6, 2015”. Further move to approve the Order.

There were no comments from the public.

Councilor Smith moved, Councilor Roche seconded to close the Public Hearing. The motion passed with six (6) yeas.

**The City of Saco 2025 Vision Statement:**

Saco is a safe and welcoming community with high levels of citizen participation. Residents and visitors enjoy the wide variety of recreational opportunities, events and entertainment for all ages and we take pride in being a recreation destination. The Mill District and Main Street are easy to navigate and diverse with shops, restaurants and services. We are well known for our mix of urban and natural assets which are inviting and enhance the historic significance of our small town character. Saco’s accessible location and commitment to quality educational opportunities encourages families and businesses to locate here and grow. City government is receptive to its citizens, mindful of their fiscal responsibility and collaborative with neighboring communities.

**Our City Council Mission:**
To ensure the highest possible quality of life for Saco citizens, businesses and visitors through careful policy decisions and visionary leadership.

**Our Community Values:**
- Excellence in learning
- Affordable living
Superintendent Mike Pulsifer presented the School Department Budget for FY 2015-2016.

Note: Since the withdrawal from RSU #23, the School Budget now comes under the City Administrator’s Municipal Budget for FY16. See item #D for the motion of approve.
$200k Construction Cost Details

- Site Selection: $25k
  - Analyze potential sites and select a site that will support the construction.
  - Utilize sub-consultants as needed for site analysis and conduct public forums.
- Space Allocation: $16k
  - Interview staff to determine the number, size and location requirements for program staff.
- Site Development: $55k
  - Develop a plan for the selected site and identify associated costs. Utilize sub-consultants for surveying, traffic study, environmental analysis and geotechnical services.
  - Initiate Permits.
- Concept Design: $105k
  - Explore options for the school building plan based on information obtained in the Space Allocation and Site Development Phases.
  - Conduct public forums at the beginning of concept design and during the process.
  - Develop concept floor plans, elevations, site plan and project budget and present to the public.

Comparison to Last Year

<table>
<thead>
<tr>
<th></th>
<th>FY13</th>
<th>FY14</th>
<th>Increase in Budget</th>
<th>% Increase</th>
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<tr>
<td>Operating Expenses</td>
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<td>$2,871,323</td>
<td>$81,194</td>
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<tr>
<td>Salaries</td>
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<td>$348,500</td>
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<td>Debt Service</td>
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<td>$339,250</td>
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<td>$69,214</td>
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<tr>
<td>School Construction</td>
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<td>$200,000</td>
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<tr>
<td>Contingency</td>
<td>$172,445</td>
<td>$175,000</td>
<td>$2,555</td>
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<td><strong>Total Budget</strong></td>
<td><strong>$32,952,862</strong></td>
<td><strong>$34,370,112</strong></td>
<td><strong>$1,417,250</strong></td>
<td><strong>4.30%</strong></td>
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</table>

What makes up Saco's Budget?

- Debt Service: $339,250 (1%)
- Teacher Retirement: $382,322 (1%)
- Contingency: $175,000 (1%)
- School Construction: $200,000 (1%)
- Operating Expenses: $2,871,323 (8%)
- RA Tuition: $11,481,886 (33%)
- Benefits: $3,901,812 (11%)
- Salaries: $14,670,021 (43%)

Saco's Revenue

- State Subsidy: $11,701,730 (34%)
- Additional Local: $5,080,815 (14%)
- Dayton Tuition: $226,843 (1%)
- Other Revenue: $235,000 (1%)
- Required Local: $17,125,926 (50%)

### How Does Saco’s School Budget Compare to Surrounding Communities?

- We are ranked 16th out of 18 school districts for per student cost.
- If no other School District increased their budget for next year, we would still only rank 14th out of 18 school districts, or $12,323.34 per student.

### District Summary

<table>
<thead>
<tr>
<th>District</th>
<th>Enrollment</th>
<th>Budget</th>
<th>Avg. Spend/student</th>
<th>Rank</th>
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</table>


*Does not include teachers' small livings.

*Does not include central office and transportation budget.
Budget Factors to Note

- Technology Department:
  - Combining with the City for technology staffing/leadership was an extremely successful venture for FY15.

- Young School facility study: $200k
  - Cost for public forums, architectural design and planning.

- TA Maximum Allowable Tuition: $620k
  - MAT increased 5.9% in FY15, estimating an additional 5% in FY16.
    - (Deferring $257,508 to FY17 budget due to lower FY17 student count)

- Required local share increase: $693k
  - Currently the Governor has proposed to the Legislature a state mill increase from 8.11 to 8.48, which would increase Saco's local taxes and reduce our state subsidy.

Old Orchard Beach/Saco Adult & Community Education

- Program Details:
  - Serves 1,800 adult learners and offers over 360 courses yearly
    - 200 academic, 350 vocational, and 1,250 enrichment students
  - High school equivalency and diploma, ESL, college transitions, adult basic education, alternative education, medical and other certificate programs, information technology, career pathways, and a wide variety of enrichment courses.

- Budget overview:
  - FY16 proposed budget is $479,139. The local contribution is $229,016, which is split between Saco and OOB.
  - Includes $46,214 for the OOB/Saco Alternative Education Program, a collaborative effort with TA and OOB HS for serving at-risk secondary students from Saco and OOB.
  - The proposed budget reflects a 0% increase to Saco and Old Orchard Beach taxpayers.

Budget Factors to Note Continued...

- New staff for Saco Schools: $211k
  - Young School: $35k
    - .5 FTE Math Intervention (shared with Fairfield) $35k.
  - Fairfield School: $66k
    - .5 FTE Math Intervention (shared with Young) $35k.
    - .5 FTE Ed Tech Intervention $18k.
    - 6 weeks of Substitutes for Kindergarten assistance $13k
  - Burns School: $85k
    - .7 FTE Literacy Intervention $50k
    - .5 FTE Technology Integrator (becoming full-time) $35k
  - SMS School: (-$35k)
    - Not filling a retiring teacher position (-$70k)
    - Eliminating an Alternative Ed Tech position (-$35k)
    - 1 FTE Alternative Ed Teacher $70k
  - Curriculum Department $35k
    - .5 FTE Math Instructional Coach $35k
  - Technology $25k
    - .5 FTE Help Desk. Shared with the City $25k
D. CITY ADMINISTRATOR’S FY16 CITY BUDGET AND PRESENTATION TO CITY COUNCIL

Pursuant to the City Charter Article VI, Financial Procedures §6.02, “at the second City Council meeting in March of each year, the City Administrator shall submit to the City Council their respective sections of the budget for the ensuing fiscal year and the accompanying messages.”

Section 6.03 – Budget Messages. “The City Administrator’s message shall explain the budget in fiscal terms and in terms of work programs. They shall describe the important features of the budget, indicate any major changes from the current year in expenditures and revenues together with the reasons for such changes, summarize the City’s debt position, and include such other materials as the City Administrator may deem desirable or the Mayor and the City Council shall request.”

City Administrator Rick Michaud presented the FY 2015-2016 City Budget to the City Council. The complete budget can be viewed online at the city's website on the Finance Department tab as follows:
http://www.sacomaine.org/departments/finance/template.shtml?id=EukyVukAEjQGKuhHqY

Councilor Roche moved, Councilor Precourt seconded Pursuant to the City Charter Article VI, Financial Procedures §6.02, be it ordered that the City Council accept the City Administrator’s Budget for Fiscal Year 2016, and further move to set the Public Hearing for the FY16 budget and the Capital Program for June 9, 2015. Further move to approve the Order. The motion passed with six (6) yeas.

March 11, 2015

Re: Budget for Fiscal-Year 2016

Honorable Mayor Pilon and members of the City Council:

I submit to you the fiscal year 2016 (FY15) budget proposal pursuant to Article VI, Financial Procedures of the City Charter, § 6.02 Submission of the Budget, “at the second City Council meeting in March of each year, the City Administrator... shall submit to the City Council their respective sections of the budget for the ensuing fiscal year and the accompanying messages.”

Transmitted herewith is the proposed FY16 budget for the City of Saco. This budget recommendation constitutes the essential services level of operating performance required for the City of Saco. Essential services are those services determined to be necessary for the health, safety and desired quality of life of the community and for the effective functioning of city government.

With every challenge comes an opportunity. After many years of being involved in budget processes, I have come to view budgets as an opportunity for an organization to set goals and to work to achieve them. The FY16 budget has been prepared with the objective of no reduction in City services while addressing our infrastructure needs.
The FY15 municipal budget represents a total appropriation level of $24,593,642, which is a 1.69% or $408,139 increase from last year’s appropriation of $24,185,503.

In March of 2011, I recommended a 4-year plan with 2 financial goals: Unassigned fund balance should be 8.33% of the budget; and Capital Improvement Program should be $2.2 million. We have made significant progress towards these two goals.

<table>
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<tr>
<th>FY 2015</th>
<th>FY 2016</th>
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<tbody>
<tr>
<td>Capital Improvement Budget</td>
<td>$987,260</td>
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<tr>
<td>8.3%</td>
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</tbody>
</table>

**Capital Improvement** - The business standard for maintaining capital assets is a 2% to 3% allocation of annual expenditure, of the capital investment. The city audit reports $66,938,756 in capital assets. The current Capital Improvement Budget is $978,000 or 1.5% to maintain our capital assets. The FY15 City Council adopted budget included a $987,260 for the Capital Improvement Program (CIP).

**Unassigned Fund Balance** - The city’s auditor reported that for the fiscal year ending June 30, 2014, the unassigned fund balance as a percentage of the budget was 9.9%.

The FY16 proposed budget includes an increase of 1.69% in the appropriations or $408,139.

Fiscal terms and work programs give explanation to the budget. Major change in expenditures and revenues are documented and the city’s debt position is summarized. This budget recommends a continuation of the long-standing practice of using capital leases for replacement of major equipment.

My goal of maintaining current service levels are supported by six citizen satisfaction surveys, conducted by the independent research firm Strategic Marketing Services. Consistently, citizens indicate high satisfaction scores with service delivery.

In summary, the FY16 Budget:
- Reflects an increase in property tax revenues by 6.5% ($2,754,368 total) **city $1,137,492 or 7.23%**
- Mil rate increase of $1.21 (City $0.43, School $0.78) on the $18.62 mil rate from FY 2015
- Reflects a non-property tax revenue decrease of 6.37% ($607,653) FY15 $9,537,213 and FY16 $8,929,560;
- Funds a $978,000 Capital Improvement Program.

The City’s April 1, 2014 property valuation was $2,018,499,204 and is projected to increase by $20 million or 1%.

The FY16 budget proposes to again draw $702,645 from the Ambulance Fund and the assessors overlay to remain at $100,000. The proposed draw on unassigned fund balance is proposed to decrease from $836,550 to $0.

The FY15 budget is located at [www.sacomainc.org](http://www.sacomainc.org) under the link to Finance. The city will publish a summary in the local media indicating the Public Hearing date of May 4, 2015.

Sincerely,

Richard R. Michaud  
City Administration
F. ADOPTION OF 2014 NATIONAL ELECTRICAL CODE – (PUBLIC HEARING)

The City of Saco adopts and enforces model construction codes that regulate all phases of building, plumbing, electrical and fire safety installations. These codes are written and revised by membership organizations such as the International Code Council and the National Fire Protection Association. Every 3 years, a new edition of these codes is published that include newly adopted provisions that recognize changes in safety and design. The City has adopted and enforced, under the authority of Title 30-A, M.R.S.A., § 4171, the provisions of NFPA 70, The National Electric Code for many years. NFPA has published the 2014 edition of the National Electric Code that is before you tonight for adoption.

After meeting with local electricians on November 10, 2014, no changes were suggested. There were approximately 20 licensed electricians in attendance at this meeting.

Councilor Precourt moved, Councilor Smith seconded “Be it Ordered that the City Council hereby moves to open the Public Hearing of the amendments to Chapter 87 Electrical Standards Ordinance and further move to set a Second and Final Reading for April 6, 2015.” Further move to approve the Order.

There were no comments from the public.

Councilor Precourt moved, Councilor Smith seconded to close the public hearing. The motion passed with six (6) yeas.

Chapter 87. ELECTRICAL STANDARDS

[HISTORY: Adopted by the City Council of the City of Saco 5-1-1995 as Ch. XII, Sec 12-2, of the 1994 Code; amended in its entirety 2-6-2006. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 73.
Fire prevention — See Ch. 102.
Floodplain management — See Ch. 106.
Mobile homes — See Ch. 143.
Property maintenance — See Ch. 163.

§ 87-1. Title.

This chapter shall be known and may be cited as the "Electrical Code."

§ 87-2. Adoption of standards by reference.

A. Reference is herewith made to the 2014 Edition of the National Electrical Code, NFPA 70, as published by the National Fire Protection Association, as amended, to become effective April 1, 2014, and said code is hereby adopted and made a part hereof as if fully set out in this chapter, with the additions, insertions, deletions and changes as found herein. Statutory authority to adopt this code is granted by 30-A M.R.S.A., and 30-A M.R.S.A. § 4171 and shall cover original installations, alterations and additions, both residential and commercial and shall be in effect for the entire City of Saco. At least seven days prior to the public hearing, the purpose of which is to consider changes to this chapter, notice shall be given by regular mail, electronic mail or facsimile to all electricians who have obtained an electrical permit within the six-month period preceding the public hearing date.

[Amended]

B. Additions, insertions and changes. The following are hereby revised as follows:

(1) 200.6 Means of Identifying Grounded Conductors.

(D) Grounded Conductors of Different Systems. Where grounded conductors of different systems are installed in the same raceway, cable, box, auxiliary gutter, or other type of enclosure, each grounded conductor shall be identified by system. Identification that distinguishes each system grounded conductor shall be permitted by one of the following means:

(1) One system grounded conductor shall have an outer covering conforming to 200.6 (A) or (B).
(2) The grounded conductor(s) of other systems shall have a different outer covering conforming to 200.6 (A) or (B) or by an outer covering of white or gray with a readily distinguishable colored strip other than green running along the insulation.

(3) Other and different means of identification as allowed by 200.6 (A) or (B) that will distinguish each system grounded conductor.

The means of identification shall be permanently posted where the conductors of different systems originate.

(2) 210.5 Identification for Branch Circuits.

(C) Identification for Ungrounded Conductors. Ungrounded conductors shall be identified in accordance with 210.5(C) (1), (2) and (3).

(1) Branch Circuits Supplied for More Than One Nominal Voltage System.

(3)(b) Posting of Identification Means. The method utilized for conductors originating within each branch-circuit panelboard or similar branch circuit distribution equipment shall be permanently posted at each branch-circuit panelboard or similar branch-circuit distribution equipment.

[Exception deleted under (B)]

[Amended]

(3) 215.12 Identification of Feeders.

(C) Identification of Ungrounded Conductors.

(1) Feeders Supplied from More Than One Nominal Voltage System.

Where the premises wiring system has feeders supplied from more than one nominal voltage system, each ungrounded conductor of a feeder shall be identified by phase or line and system at all termination, connection, and splice points. The means of identification shall be permitted to be by separate color coding, marking tape, tagging, or other approved means.

(b) Posting of Identification Means. The method utilized for conductors originating within each feeder panelboard or similar feeder distribution equipment shall be permanently posted at each feeder panelboard or similar feeder distribution equipment.

(4) 334.10 Uses Permitted.

(3) Other structures permitted to be of Types III, IV and V construction except as prohibited in 334.12.

(5) 334.12(A) (2) Uses Not Permitted is deleted and not adopted by the City of Saco.

[Amended]

(6) 338.12 Uses Not Permitted.

(B) Underground Service-Entrance Cable.

(1) For interior wiring of branch circuits and feeders originating and terminating within the same building.

(2) For above-ground installations except where USE cable emerges from the ground and is terminated in an enclosure at a location acceptable to the Authority Having Jurisdiction and the cable is protected in accordance with 300.5(D).

(7) 702.4 Capacity and Rating

(B) System Capacity.
(2) Automatic Transfer Equipment. For other than single-family dwellings, where automatic transfer equipment is used, an optional standby system shall comply with (2)(a) or (2)(b)

[Amended]

(8) Smoke and heat detectors. In addition to smoke detectors required elsewhere in this Code, a smoke or heat detector shall be installed in any new attached residential garage. Installation, including wiring and power sources for all smoke and heat detectors shall be in accordance with the provisions of the 2007 Edition of NFPA Standard 72, Chapter 11.

(9) Adoption of utility requirements. The Authority having jurisdiction may, at the request of the electrical utility company, enforce the requirements as found in the Handbook of Standard Requirements for Electric Service and Meter Installations published by Central Maine Power, effective January 1, 2009, and as amended.

[Amended]

(10) Removal of old wiring required. All readily accessible cable that is not properly capped and terminated and labeled for future use shall be removed.

[Amended]


The Electrical Inspector who must be licensed by the State of Maine as a Master Electrician is hereinafter designates as the City official to supervise and enforce this chapter. The Electrical Inspector will be under the direction of the Building Inspector, who will act as his/her immediate supervisor.

§ 87-4. Appeals.

A. Any person aggrieved by the decision of the Electrical Inspector with regard to the enforcement of the Electrical Code may take an appeal to the Mayor and City Council.

B. An appeal may be taken within 30 days from the date of the decision appealed by filing with the City Council, through its Clerk, a notice of appeal specifying the grounds thereof, except that in the case of a building or structure which, in the opinion of the Electrical Inspector, is unsafe, dangerous and a threat to life safety, the Electrical Inspector may, in his/her order, limit the time for such an appeal to seven days. The Electrical Inspector shall forthwith transmit to the Mayor and City Council all the papers upon which the action appealed from was taken.

§ 87-5. Violations and penalties.

The following provisions shall apply to violations of the laws and ordinances set forth in this chapter, and all monetary penalties shall be civil penalties.

A. The minimum penalty for starting construction or undertaking a land use activity without a required permit shall be $100, and the maximum penalty shall be $2,500.

B. The minimum penalty for a specific violation shall be $100, and the maximum penalty shall be $2,500.

C. The violator may be ordered to correct or abate the violations. Where the court finds that the violation was willful, the violator shall be ordered to correct or abate the violation, unless the abatement or correction will:

(1) Result in a threat or hazard to public health or safety;

(2) Result in substantial environmental damage; or

(3) Result in substantial injustice.
Applicant JFJ Holdings, LLC proposes a contract zone for the property at 8 Industrial Park Road that would allow a drive-through restaurant to be established within a proposed 3,000 s.f. building. Half the building is intended for office use.

The 1.29 acre parcel is on the westerly side of Industrial Park Road, with existing commercial uses to each side and the rear. The parcel is in the I-2 zone, which allows “Business offices” as a permitted use, but does not allow “Drive-through eating establishments.” The latter use is likely to require a Traffic Movement Permit from the MaineDOT.

During its 2013 review, the Planning Board was concerned with traffic and turning movements on this busy street. The Board voted to make a negative finding on each of the four standards for a contract zone, and forwards a negative recommendation for the contract zone as proposed.

Councilor Johnston moved, Councilor Smith seconded “Be it ordered that the City Council hereby moves to open the Public Hearing for the document titled, “Contract Zone Agreement By and between JFJ Holdings, LLC and the City of Saco,” dated October 29, 2013”, and further move to schedule a Second and Final Reading for April 6, 2015.” Further move to approve the order.

Shawn Roche, 18 Vines Road – Mr. Roche felt that this drive through restaurant should not go across from the Maremont Field. I think this is a bad idea because of all the fast moving traffic. This road would not be safe to cross for the Little League boys in the Spring. I think that a better place to put this restaurant would be in the Ramada Plaza. The restaurant could go in this plaza where the Park & Ride is. As a result the Park & Ride would be removed, but moving this would not be bad because there is already another Park & Ride a mile away, across from the highway. If the restaurant does go where the Park & Ride is the city could have the option of putting a traffic light at the intersection because of the hockey rink on the other side of the road. Just please don’t put this restaurant across the street from our Little League. Thank you.

Beth Johnston, 62 Pleasant St. – Ms. Johnston felt that there was a whole lot of lack of information out in the public about this. You are having a Public Hearing tonight but I would image that very, very few regular citizens who don’t keep up necessarily with what goes on at City Hall probably know this is out there, perhaps kids that go to the Little League. I personally don’t care if I see another contract zone in the City of Saco. I think it is an excuse to violate our own rules and I would really like somebody to really consider this long and hard, Council members at this point. I don’t know why they keep putting this is front of you but it would be awfully nice if you would consider very carefully before you make another contract zone. My understanding is that a contract zone is to provide the city with some benefit and I have seen way too many of them approved and which I don’t believe have
provided anywhere near an adequate amount for the city to off-set the down side of it. I can see kids all over the street in a very, very, very unsafe way and I’m sure that is just the tip of the iceberg. I hope you will seriously consider the effects that this will have. Thank you.

Al Sicard, 259 North St. – Mr. Sicard stated that he totally agree with Beth in the sense that this was the first time he had heard of it and he lives around the corner. Before anything is put on the Industrial Park Road at that end I employ you to stand out there between 7:30 a.m.-9:20 a.m. each day. We are backing up to North Street from the Industrial Park Road all the way down the corner to my house, and I’m at North and the corner of Franklin. Then also stand out there between 3:45 p.m. – 5:30 p.m. in the evening coming into town. So if something with high traffic such as a drive through excreta, you have to have access to people trying to cut in and out. So I would say please look that over carefully. Traffic is a mess there to begin with and putting anything else of high volume is a mistake.

Ethan Richards, 2 Colonial Dr. – Mr. Richards noted that he has seen the traffic out there is the mornings and it is crazy, but he feels that a good idea for keeping kids safe as you see by Amato’s and T.A., they have a big yellow light and you hit the button and it will start flashing and you have to stop. That is so useful when you are staying after school and have to walk somewhere to get something to eat, it stops traffic. So if you are considering putting this on a busy street consider putting in another one of those because we need the safety and can’t just have a regular crosswalk. Thank you.

Councilor Johnston moved, Councilor Roche seconded to close the Public Hearing. The motion passed with six (6) yeas.

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**CONTRACT ZONING AGREEMENT**
**BY AND BETWEEN**
**JFJ HOLDINGS, LLC AND THE CITY OF SACO**

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2015

THE CITY OF SACO HEREBY ORDAINS:

I. That the Zoning Ordinance of the City of Saco, dated January 2, 1985, and amended through May 12, 2014 (hereafter the “Zoning Ordinance”) is hereby amended by adopting this Contract Zoning Agreement (hereafter the “CZA”) by and between the City of Saco and JFJ Holdings, LLC (hereafter the “Applicant”).

1. The Applicant proposes to construct and operate a commercial building (hereafter the “Project”) on a parcel located at 8 Industrial Park Road (hereafter the “Property”). The Property is identified as Tax Map 69, Lot 12 on the City of Saco tax maps.

2. The Applicant has established right, title and interest in the Property with the submittal of a Purchase and Sale Agreement dated 7/4/13 naming Robert A. McCrillis and Samuel P. Brady c/o NEBA, 331 North Street, Suite 1, Saco as the Seller, and JFJ Holdings, LLC, 280 Merrimack Street, Methuen, MA as the Buyer.

3. The Property is 1.29 acres in size and has more than 200’ of street frontage. The Property is served by municipal sewer and water utilities.

4. The Property is presently included within the 1-2 Industrial Business Zoning District (hereafter the “1-2 Zone”).

5. The Property is a conforming lot.

6. The Applicant proposes to develop on the Property a Project consisting of a single building, approximately 3,000 sq. ft. in area, that is physically divided into two leased units. One unit will be used for a “business office” and the second will be used as an “eating establishment with drive-through service” as those uses are currently defined in §302 of the Zoning Ordinance.

7. Under Zoning Ordinance §410-12, an “eating establishment with drive-through service” is not included in the list of uses permitted in the 1-2 Zone.
8. Zoning Ordinance §1403-1 recognizes that “traditional zoning methods and procedures such as variances, conditional use permits, and alterations to the zone boundaries are inadequate to promote desirable growth. In these special situations, more flexible and adaptable zoning methods are needed to permit differing land uses in both developed and undeveloped areas, and at the same time recognize the effects of change.” To that end, Zoning Ordinance §1403-2 authorizes the City Council to approve the rezoning of property “where, for reasons such as the unusual nature or the unique location of the property, the City Council finds it necessary or appropriate to impose, by agreement with the property owner, certain conditions or restrictions in order to ensure that the rezoning is consistent with the City’s Comprehensive Plan.”

9. The Applicant previously applied to the Planning Board for approval of a CZA for the Property that would cause an “eating establishment with drive-through service” to be a permitted use on the Property. On or about October 29, 2013, the Planning Board voted to recommend that the City Council not approve the CZA.

10. Under Zoning Ordinance §1403-6, the Planning Board is authorized only to make a recommendation concerning whether the Council should approve a proposed CZA. As the City’s legislative body, the City Council is not bound by the Planning Board’s recommendation and may make its own independent determination whether to approve the rezoning of any property pursuant to a CZA.

11. The Applicant has requested the City Council to approve its proposed CZA as being in compliance with the standards of Zoning Ordinance §§1403-1 and 1403-6.

II. This CZA amends the Saco Zoning Ordinance as follows:

This CZA shall rezone the Property as follows:

Notwithstanding anything to the contrary in Zoning Ordinance Article 410-12, an “Eating Establishment with Drive-Through Service” as defined by Zoning Ordinance §302 shall be an expressly-permitted use within the bounds of the Property.

Said rezoning shall be subject to the following conditions and restrictions, as authorized by Zoning Ordinance §1403-5:

A. The Applicant shall adhere to all other applicable provisions of the I-2 zoning district and of the Zoning Ordinance and Subdivision Regulations.

B. All details included in the submitted application materials are hereby incorporated into this CZA by reference. The Project shall be operated substantially in conformance with these materials.

C. Minor changes to this CZA may be approved by the staff of the City of Saco. Any changes determined by the staff to be "major" shall be submitted to the Planning Board for review. If it is determined that the changes constitute a change to this CZA, then the Applicant shall also be required to obtain City Council approval of the changes.

D. Upon approval of this CZA by the City Council, the Applicant shall submit materials required for site plan review to the Planning Office in order that the Project may be reviewed by the Planning Board.

E. Failure of the Applicant to secure site plan approval from the Planning Board within one year of the approval of this CZA by the City Council shall render this CZA null and void. In the event that permits or approvals are delayed due to circumstances beyond the Applicant’s control, this one year deadline may be extended by one year upon written request to the City Council.

F. This CZA and its provisions shall specifically and exclusively apply to the CZA request submitted by the Applicant. Approval of this CZA is in part based on the financial and technical qualifications of the Applicant as submitted to the City. A change in ownership prior to completion of the terms of this CZA may necessitate review and approval by the City Council. Determination of such shall be made by the Planning Office.
G. Breach of these conditions and restrictions by the Applicant shall constitute a breach of the CZA, and the Applicant may be required to apply for a CZA modification. Failure to apply for, or to obtain such a modification shall constitute a zoning violation, subject to enforcement action.

III. Pursuant to authority found in 30-A M.R.S.A. §4352(8) and the City of Saco Zoning Ordinance, §1403, the Saco City Council adopts the following findings of fact.

A. The Property is a parcel of an unusual nature and location, for the following reasons:

1. The Property is an existing, vacant parcel within an otherwise highly-developed area;

2. The Property is the only undeveloped lot between North Street and the I-195 ramps;

3. The Property is too small to be feasibly developed for an industrial use;

4. Most of the other lots on Industrial Park Road, which are also in industrial zones, have been developed with commercial rather than industrial uses;

5. The Property is located in a high traffic location between two primary access points to Saco on one end and the interstate system and industrial park on the other end;

6. Because the property is located well to the north of the City's downtown section, it is uniquely suited to capture high traffic counts without drawing commercial and service business customers away from the downtown area;

7. The Property's size, shape, and elevation render it uniquely suitable for an “eating establishment with drive-through service” because it provides ample room for queuing of drive-through traffic; and

8. The Property is separated, by only one lot, from an area zoned B-2C, where a wide range of commercial uses have been established.

B. The proposed rezoning to allow development of the Property with an “eating establishment with drive-through service” is consistent with the Saco Comprehensive Plan, for the following reasons:

1. It will provide an opportunity for Saco residents to have rewarding employment and to operate prosperous businesses;

2. It will increase the number and quality of jobs in the community;

3. It will diversify the mix of employment within the City by strengthening the currently weak retail/entertainment sector and counterbalance the City’s present dependence on development in the business/industrial sector;

4. It will increase the City’s commercial tax base;

5. It will strengthen the City’s role as service center for the region by encouraging tourism, hospitality, and retail growth;

6. It will enhance Saco’s role in the southern Maine tourist economy by improving its ability to provide for the need of motorists;

7. It will allow reasonable development of a vacant lot within a built-up area of the City which is already served by City water and sewer services; and
8. It will apply to a location that is shown in the Comprehensive Plan as a designated growth area.

C. The proposed use is consistent with the existing uses and permitted uses within the original zone, for the following reasons:

1. Existing uses

Most of the lots in the immediate area have been developed as either commercial and consumer service businesses (Time-Warner Cable, People’s Choice Credit Union, Uncle Bob’s Self-Storage), professional offices (Saco Health Center, Home Health Visiting Nurses), commercial construction enterprises (PM Construction Co. and Blackbear Signworks), a corporate office (Sure-Winner Foods), or a public recreational area (the Little League baseball field). The proposed existing establishment with drive-through service can be located in the subject area without altering its current appearance and would be compatible with other existing uses.

2. Permitted uses

a. One of the uses proposed to be included in the Project is leased office space. A business office is a permitted use in the I-2 Zone.

b. Uses permitted in the I-2 Zone that have similar land use characteristics include:

(1) Hotels and motels (§410-12(1)). Under the definition of “hotel” contained in §302, a hotel “may include general kitchen and dining room facilities open to the public,” and not just to the patrons of the hotel. (emphasis added)

(2) “Eating establishments associated with hotels and motels” (§ 410-12(2)). Under the Article 302 definition of an “eating establishment,” there is nothing to prevent hotel or motel accessory restaurants from serving food to the general public.

(3) Business offices (§410-12(6));

and, as a conditional use:

(4) Car Washes (§410-12, Conditional Use 7). A “car wash” is defined in Article 302 as “A building or area that provides facilities for washing, cleaning and polishing motor vehicles, which may use hand washing or production line methods with mechanical devices.” (emphasis added). That definition allows a type of drive-through service.

c. Because the Property is separated by only one lot from an area zoned as part of the Highway Business B-2C Zone, the City Council deems it appropriate to review the consistency of the proposed uses with the uses permitted in the B-2C as well. The uses permitted in the B-2C Zone with which the proposed use is consistent include the following:

- Retail businesses (§410-6(4));
- Eating establishments (§410-6(6));
- Eating and drinking establishments (§410-6(7));
- Hotels and motels (§410-6(8));

and, as conditional uses:

- Amusement Centers (§410-6, Conditional Use 4),
Commercial recreation (§410-6, Conditional Use 5),

- Gas stations (§410-6, Conditional Use 8). Under §302, a “gas station” is defined as “[b]uildings and premises where gasoline and other motor fuels may be dispensed, and where oil, grease, batteries, tires and automobile accessories may be sold at retail, and where repairs may be made. Most car repair services include drive-up garages in which the repair work is conducted; and

- Car washes (§410-8, Conditional Use 8).

D. The conditions proposed are sufficient to meet the intent of Section 1403, for the following reasons:

The conditions of approval set forth in Section II of this CZA are sufficient to ensure that, although the Property will be rezoned to allow an eating establishment with drive-up service, it will remain subject to all other standards applicable to the original I-2 Zone and will undergo prompt site plan review by the Planning Board at which additional, site-specific conditions may be considered.

IV. Based on the above findings, conditions and restrictions, the City Council hereby incorporates this Contract Zoning agreement into the Saco Zoning Ordinance by reference. By signing this contract, both parties agree to abide by the conditions and restrictions contained herein.

Adopted by the Saco City Council on ___ 2015.

by ______________________ by ______________________
Richard Michaud JFJ Holdings, LLC
City Administrator Applicant
H. ZONING MAP AMENDMENT – (PUBLIC HEARING)

Since the most recent Comprehensive Plan update was approved by the City Council on March 7, 2011, a number of recommendations have been reviewed and implemented. Several of these recommendations resulted in the creation of new zoning districts, or adjustments to existing zones. Each has been reflected on the Zoning Map. Much as the City amends the Ordinance, so too must the Map be amended from time to time.

Attached is a copy of the current Zoning Map reflecting changes since 2011. Also find two lists that track Ordinance and Map amendments: an implementation table from the Comp Plan, and also a list of Ordinance and Map amendments as they are approved.

The Planning Board considered this in workshop and held a public hearing on Dec. 17, 2014. The Board recommends that the amendments be adopted.

Councilor Cote moved, Councilor Precourt seconded “Be it Ordered that the City Council hereby moves to open the Public Hearing of the document titled, ‘Amendments to City of Saco Zoning Map, Amended through Oct. 7, 2013’, and further moves to set the Second and Final Reading for April 6, 2015.” Further move to approve the Order.

Beth Johnston, 62 Pleasant St. – Ms. Johnston noted that she was here primarily because I’m seeing something else moving forward and I don’t have any information on it and I’m sure the rest of the public has very little on it either. I’m not really understanding what you are trying to change or what is being proposed for change. Therefore I’m seeking an explanation from someone here.

City Planner Bob Hamblen – Mr. Hamblen noted that as Ms. Johnston and perhaps anybody who has watched the workings of city government for some time, my guess is that anything that appears on the City Councils agenda such as this Zoning Map amendment, has been in front of the Planning Board and materials related to this are in the Planning Office and available for your review or anybody else’s anytime during business hours. Simply put, the 2011 Comprehensive Plan has gone through a number of actions related to the implementation. Actions that have gone through the Planning Board and then through the City Council. The current effort is just to recognize some rezoning and the introduction of some new zones to the city Zoning Map. So no new zoning proposed with tonight’s action, it is just recognizing zoning changes that have occurred to the map over the past 3 years.

Councilor Roche noted he understood this was just a recap, but he inquired as to how often historically has this map been updated, every 3 years or longer?

City Planner Bob Hamblen – Mr. Hamblen stated that it has been probably 8-10 years since the map has been updated. He noted that there was a running list that was included in the packet materials, but the actual map we do not amend or update that map too often.

Beth Johnston, 62 Pleasant St. - Ms. Johnston noted that she is perceiving this as basically an update of what has already in effect taken effect. So now that I know that this is available, I know it is available but I don’t spend allot of time in that office because I have other things to do in my life. I’m just concerned that the public know when things are about to change. I know that we have this process where we have a public hearing and sometimes people don’t come to the public hearing prepared to speak or they might in fact be interested. So I’m just suggesting that information to the public never hurts so that we can become informed when we are here. Thank you.

Councilor Cote moved, Councilor Roche seconded to close the Public Hearing. The motion passed with six (6) yeas.

VI. CONSENT AGENDA

Councilor Tardif moved, Councilor Precourt seconded to pull #7 and vote on it separately. The motion passed with five (5) yeas and one (1) nay – Councilor Cote.
Councilor Johnston moved, Councilor Roche seconded to approve Consent Agenda items # 1, 2, 3, 4, 5, 6 and 8 as follows:

1. Be it Ordered that the City Council approve the minutes for February 17, 2015 and March 2, 2015. Further move to approve the order;

2. Be it Ordered that the City Council grant Erron Grant a Combined Massage Therapist and Establishment License in accordance with the Codes of the City of Saco, Chapter 138. Further move to approve the Order;

3. Be it Ordered that the City Council grant the application for a License to operate Games of Chance as follows: Pull Tickets – 2 games and Queen of Hearts – 1 game from April 1, 2015 to June 30, 2015 as submitted by the Biddeford & Saco Elks #1597. Further move to approve the Order;

4. Be it Ordered that the City Council hereby moves to open the Second and Final Reading of the amendment to the Saco Code, Chapter 112, General Assistance Program, Appendix A- Overall Maximum, Appendix B – Food Maximums, and Appendix C – GA Housing Maximums, and The General Assistance Ordinance dated September, 2013. Further move to approve the Order;

5. Be it Ordered that the City Council confirm the Mayor’s appointment of Neil Schuster and Rene Ittenbach to the Planning Board, each for a 3-year term to expire on March 15, 2018. Further move to approve the Order;

6. Be it Ordered that the City Council hereby finds the Amendments in the Document Titled “Proposed Amendments to the contract zone document entitled ‘Contract Zone Agreement by and Between Linron, Inc., Saco Realty Limited Partnership, York County Federal Credit Union and the City of Saco,’ dated March 2, 2015, to be minor amendments that may be approved by the Planning Office, for the properties at 477, 485 and 491 Main Street, as authorized by Section 1403 of the Zoning Ordinance, pursuant to 30-A M.R.S.A. Section 4352(8), and subject to the Planning Office approval as has been given, to authorize the City Administrator to enter into the amended contract with applicant York County Federal Credit Union.”;

8. Be it Ordered that the City Council does hereby approve with reference to York County Superior Court Docket #CR-14-115--Criminal Forfeiture, of the transfer of assets to the City of Saco, pursuant to 15 M.R.S. §5824(3) and/or §5826(6). Further move to approve the order.

The motion passed with six (6) yeas.

The item commentaries for the above Consent Agenda are listed below.

2. **COMBINED MASSAGE THERAPIST AND ESTABLISHMENT LICENSE**

Erron Grant, owner of Body & Soul Massage, 49 E Storer Street has applied for a Combined Massage Therapist and Establishment License.

The applicant has paid all applicable permit fees and has provided a copy of her State of Maine Massage Therapist License in compliance with Chapter 138, Sub-section §138-9 Basic proficiency.

3. **APPLICATION FOR ALICENSE TO OPERATE GAMES OF CHANCE**

Biddeford & Saco Elks #1597 has applied for a License to operate Games of Chance as follows: Pull Tickets – 2 games and Queen of Hearts – 1 game from April 1, 2015 to June 30, 2015.

The applicant has submitted their application in accordance with the provisions of Title 17 M.R.S.A. Chapter 13-A, and in accordance with the Rules and Regulations promulgated by the Chief of the State Police governing the operation of Beano/Bingo or Games of Chance.


Each year Maine Municipal Association presents municipalities with new Appendixes for their City Ordinance,
which need to be reviewed and adopted. This year, the Over-All Maximums on Appendix A have increased slightly. The food maximums on Appendix B have also increased since last year. On Appendix C, we used an average between the York County HMFA and the York/Kittery/ S. Berwick HMFA. Those amounts are up in all categories this year.

The City of Saco currently uses the General Assistance Ordinance dated October 2005, which was provided by Maine Municipal Association (MMA). MMA currently has a new GA Model Ordinance Dated September 2013. Municipalities are strongly encouraged to adopt this new version as it contains revisions and updates to state law, case law in addition to DHHS regulation.

General Assistance Ordinance Appendixes (A, B, and C), Proposed Figures dated October 1, 2014

Note: The proposed maximums for Appendix A, B and C remain unchanged from last year.

### Appendix A - GA Overall Maximums

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### Appendix B - Food Maximums

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<td>EACH ADDITIONAL</td>
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### Appendix C – GA Housing Maximums

#### Unheated Units

<table>
<thead>
<tr>
<th># BDRMS</th>
<th>MONTHLY CURRENT</th>
<th>MONTHLY PROPOSED</th>
</tr>
</thead>
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<tr>
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</tr>
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<td>$660.00</td>
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#### Heated Units

<table>
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<th>MONTHLY PROPOSED</th>
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<tr>
<td>4</td>
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</table>
REVISED 2013 GENERAL ASSISTANCE ORDINANCE

The complete General Assistance Ordinance can be viewed on the city's website at http://www.sacomaine.org, under News & Agendas, City Council, 3/2/2015.

5. MAYOR'S RE-APPOINTMENTS TO PLANNING BOARD

The Planning Board primarily reviews subdivisions and site plans, conditional use permits and contract zones. The Board is also authorized at its discretion to undertake studies and make recommendations on matters of land development, energy and water conservation, transportation, solid waste disposal, location of municipal and school facilities, affordable housing, urban beautification and design improvements, historic and scenic preservation and agricultural preservation.

Mayor Pilon requests consideration for re-appointment of two members to the Planning Board: Neil Schuster, 433 Ferry Road, and Rene Ittenbach, 217A Buxton Road. Each term will run three years and expire on March 15, 2018. Mr. Schuster was originally appointed to the Planning Board on Jan. 3, 2000 and has served as chairman since 2003. Mr. Ittenbach was appointed to the Board on Feb. 4, 2008.

6. CONTRACT ZONE: LINRON INC. YCFCU, SHANNON REALTY LP – (1ST READING)

The Council approved a contract zone encompassing three abutting Main Street parcels at 477, 485 and 491 Main Street on Oct. 17, 2005. The properties include those owned by Linron Inc., doing business as KFC; the York County Federal Credit Union; and two parcels between KFC and the credit union owned by Shannon Realty Limited Partnership, proposed for development at the time as a pharmacy.

The credit union is proposing an significant updated design and significant renovation of its branch building, approved by the Planning Board on Feb. 17, 2015. But is hindered by certain requirements included in the original 2005 in the contract zone agreement that include building height and façade aesthetic requirements which are dated and different than the new building's design in terms of its height and the proposed exterior materials and finish. However, neither the new building’s height and exterior finish are both otherwise allowed and permissible under is a concern undercurrent regular zoning. The City Attorney has recommended amending the contract zone agreement to address these issues. The Planning Board approval was granted contingent on either the Council’s finding the proposed amendments to be minor in nature, or, to the agreement being amended by vote of the Council. The City Attorney previously recommended amending the contract zone agreement to address these issues.

The 2005 City Council approval of this the contract zone agreement was followed by three amendments. The amendments were advanced primarily to accommodate changes in the siting of the proposed pharmacy and to address ongoing considerations related to traffic safety concerns and the related traffic improvements to provide access to and from the three parcels from Main Street. The amendments were approved in October of 2006, the Council’s August 4, 2008 approval of an amended agreement, then and most recently further amendments to the agreement, approved on Oct. 18, 2010.

The Council reviewed the current request at the workshop during the March 2, 2015 Council meeting.
Proposed Amendments re: Height and Exterior Façade:

G. The Credit Union will be permitted to place a fifteen (15) foot wide addition on the northeasterly side of its building as depicted on Exhibit "A" replace the existing building and maintain a northwesterly sideline setback of no less than ten (10) feet without the need for a variance. The height of this addition shall not exceed the height of the existing building, maximum height allowed in the B-2d zone, thirty-five (35) feet. Construction of this addition will result in a reduction in the sideline setback to a width of five (5) feet. The addition will be constructed consistent with the existing building's stone facade architecture to the maximum extent possible design review standards found in Section 729 of the Zoning Ordinance.

As Amended and Approved by Planning Office:

G. The Credit Union will be permitted to replace the existing building and maintain a northwesterly sideline setback of no less than ten (10) feet without the need for a variance. The height of this addition shall not exceed the maximum height allowed in the B-2d zone, thirty-five (35) feet. The addition will be constructed consistent with design review standards found in Section 729 of the Zoning Ordinance.

Amendment Approval ago Authorized in Existing Contract Zone Agreement:

O. Except as addressed in this Contract Zone document, the project shall adhere to all other applicable provisions of the City of Saco Zoning Ordinance. All details shown on the plans and application materials submitted in connection with the contract zone application or in connection with Lurion's or SRLP's site plan review applications, to date or in the future are hereby incorporated into this contract by reference. The site shall be developed in conformance with those plans and materials. Minor changes may be approved by the Planning Office of the City of Saco. If it is determined that the changes constitute a change in this Contract Zone Agreement, then the developer shall be required to obtain City Council approval of the changes.

7. ENERGY IMPROVEMENT BOND

There are pressing capital improvement needs that cannot always be addressed within the annual operating budget to be replaced in the most timely, cost effective manner. During the February 2015 Council meeting workshop, Council decided to postpone an Infrastructure Bond in June 2015 until alternatives can be explored for new infrastructure objectives and funding methods moving forward to address these agreed upon needs.

Interest was expressed at the Council level for moving forward with a smaller Energy Improvement Bond in June 2015. The criteria for projects to be funded by this Energy Bond may include:

- Replacements and upgrades to heating systems, lighting, air quality, and other energy efficiency components to establish long term savings as fuel and electricity costs escalate. Projects selected will adhere to a cost/benefit analysis showing a payback period of less than 8 years.

An Energy Bond question will require a public hearing in April 2015 to be put on the ballot for the scheduled June 2015 election.

Councilor Roche moved, Councilor Precourt seconded “Be it Ordered that the City Council approve the first reading of the ‘Order Authorizing City of Saco to Borrow an Amount not to Exceed $500,000 for Energy Improvements to City Facilities and Infrastructure, and move further move to schedule a Public Hearing for April 6, 2015.” Further move to approve the Order. The motion passed with five (5) yeas and one (1) nay – Councilor Tardif.

June Ballot
Bond Question Timeline

➢ March 23rd – Legal Ad for Bond Question advertised in Journal and posted at Dyer Library and City Hall.
- April 6\textsuperscript{th} – Public Hearing
- April 20\textsuperscript{th} 2\textsuperscript{nd} & Final Reading & Order to place question on the June ballot.
- April 21\textsuperscript{st} – Order Ballots
- May 12\textsuperscript{th} – Absentee Voting Starts
- June 9\textsuperscript{th} – Election Day

Note: Because this would be considered a “Special Municipal Election”, the Charter states that: The total number of votes cast at said Special Election must be equal to or exceed twenty per cent (20%) of the total votes cast for all candidates for Mayor at the previous General Municipal Election.

Nov. 2013 Election – 3,942 Total votes cast for candidates for Mayor. So total ballots cast for the Special Election would need to be at least 789.

VII. RECESS THE MEETING AND CONVENE THE WORKSHOP

Councilor Precourt moved, Councilor Smith seconded to move to workshop. The motion passed with six (6) yeas.

VIII. EXECUTIVE SESSION

Councilor Precourt moved, Councilor Smith seconded “Be it Ordered that the City Council, Pursuant to [1 M.R.S.A. §405 (6) (D)] move to enter into Executive Session to discuss: (D) Labor contract proposal discussions”. The motion passed with six (6) yeas. TIME: 8:55 p.m.

REPORT FROM EXECUTIVE SESSION

Councilor Johnston moved, Councilor Roche seconded to move from Executive Session. The motion passed with five (5) yeas. TIME: 10:00 p.m.

Mayor Pilon conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: David Precourt, Leslie Smith Jr., Kevin Roche, Arthur Tardif, and Nathan Johnston. Councilor Cote did not attend the Executive Session. City Administrator Rick Michaud was also present.

There was no report this evening.

IX. ADJOURNMENT

Mayor Pilon adjourned the meeting with the unanimous consent of the Council. TIME: 10:01 p.m.

Attest:___________________________________
Michele L. Hughes, City Clerk